

Regular Meeting
Frankfort Board of Commissioners

February 27, 2006
5:30 P.M. (EST)

PRESENT

Commissioner Kathy Carter
Commissioner Lynn Bowers
Commissioner Rodney Williams
Commissioner J. W. Bryan
Mayor William I. May, Jr. (5)

ABSENT

None (0)

The Invocation was given by Reverend Mary Davis, First Presbyterian Church. The Pledge of Allegiance as led by John Hammond.

It was moved by Commissioner Bowers, seconded by Commissioner Bryan that corrections be made to the minutes of January 23, 2006; February 13, 2006; and February 16, 2006. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, and Bryan, and Mayor May (4). Voting against the motion was Commissioner Williams (1). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Bryan, that the minutes of January 9, 2006 Work Session; January 12, 2006 Work Session; January 23, 2006 Regular Meeting; February 13, 2006 Work Session; February 16, 2006 Work Session be tabled until the next regular meeting. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers and Bryan, and Mayor May (4). Voting against the motion was Commissioner Williams (1). The motion was thereupon adopted.

Ceremonial Items

Mayor May recognized the Frankfort Police Department Explorers Chapter 101 for recently placing 5th overall in the Winterfest competition in Gatlinburg, Tennessee. Those participating were Sarah Rogers, Josh Aldridge, Nathan Douglas and Faith Douglas, and adult advisors Ryan Bryant and Tina Bryant. Officer Russ Persons is the Frankfort Police Department advisor.

“AN ORDINANCE REZONING PROPERTY IDENTIFIED AS 1300 LOUISVILLE ROAD FROM HIGH-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (RH) TO LIMITED COMMERCIAL (CL), MORE SPECIFICALLY DESCRIBED AS PVA MAP #049-40-01-002.00” was presented. Following citizen comments and discussion regarding the recent sale of the property, the ordinance was read. It was moved by Commissioner Williams, seconded by Commissioner Bowers, to request a verbatim transcript of Planning Commission meetings of October 5, 2005 and January 19, 2006. The motion was adopted by voice vote.

“AN ORDINANCE REZONING AN 11.25-ACRE PARCEL OF PROPERTY LOCATED AT THE INTERSECTION OF GALBRAITH ROAD AND KY 676 (EAST-WEST CONNECTOR) WITH THE PVA MAP #086-00-00-027.00 FROM (PR) PLANNED RESIDENTIAL TO (RL) LOW-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT” was presented and read.

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 37, PERSONNEL; CITY EMPLOYEES, SECTION 37.11, COMPENSATORY LEAVE” was presented and read.”

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 37, PERSONNEL: CITY EMPLOYEES, SECTION 37.45, ENTRY LEVEL SALARIES AND SALARIES OF SPECIALLY QUALIFIED PUBLIC SAFETY PERSONNEL” was presented and read. Gary Gephart, representing Local No. 1017, spoke in opposition to the Ordinance. Fire Chief Wallace Possich and Frankfort EMS Director Gregg Moore poke in support of the Ordinance (Note: the City of Frankfort does not recognize Local No. 1017).

“AN ORDER AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFE-TEA-LU)” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Bryan, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Order No. 2, 2006 Series)

“AN ORDER COMMITTING THE LOCAL SHARE OF FUNDS NECESSARY TO SECURE A SECTION 5311 GRANT APPLICATION” was presented. It moved by Commissioner Bowers, seconded by Commissioner Carter, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Order No. 3, 2006 Series).

“RESOLUTION OF THE CITY OF FRANKFORT SUPPORTING THE MILLIONS IN A MONTH CAMPAIGN TO FIGHT HUNGER IN KENTUCKY” was presented. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 1, 2006 Series).

“RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2006 TE-21 GRANT FUNDS AND DESIGNATING THE MAYOR TO EXECUTE ALL GRANT DOCUMENTS PERTAINING TO THIS APPLICATION” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 2, 2006 Series).

“RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2006 TE-21 GRANT FUNDS ON BEHALF OF THE FRANKFORT/FRANKLIN COUNTY TOURIST AND CONVENTION COMMISSION AND DESIGNATING THE MAYOR TO EXECUTE ALL GRANT DOCUMENTS PERTAINING TO THIS APPLICATION” was presented. It was moved by Commissioner Carter, seconded by Commissioner Bryan, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the Resolution were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 3, 2006 Series).

Consent Agenda

Upon request by Commissioner Bowers, Item 6.2 was removed from the Consent Agenda to be considered separately.

The following miscellaneous and personnel items were presented:

- 6.1 Memorandum of Agreement with Franklin County to allow the county to apply for the 2006 Byrne Memorial Justice Assistance Grant Program; grant to be used to continue funding for youth crime prevention programs through the Kings Center and Court Appointed Special Advocates; agreement stipulates City of Frankfort will use Byrne Grant funding in years 2007 and 2008 (Special Projects).
- 6.3 Bid award for Sanitation/Recycling Building Roof Repair to Insulated Roofing Contractors; contract for roof repair and polyurethane roofing system with a twenty-year warranty; cost of \$108,777 to be paid from Account No. 100.65.56550 (Public Works).
- 6.4 Authorization of contract with Kentucky State University (KSU) allowing use of excess equipment at the Wastewater Treatment Plant (WWTP) for use by the KSU Aquaculture Research Center (ARC;) contract can be terminated with 15 days notice; contract for one year,

- but could be extended if program is successful; KSU will pay the City an amount of \$200 per year to offset the cost of utilities to operate the tanks (Sewer Department).
- 6.5 Authorization of contract award to Chart Industries, Inc. for Liquid Oxygen (LOX) Storage Tank, Vaporizers, and Switching Valves for new Ozone Disinfection System at the Wastewater Treatment Plant; contract in the amount of \$190,097; funds available in Account No. 300.68.56550 (Sewer Department).
- 6.6 Authorization of engineering contract award for the Feasibility Study and Master Planning of the US 421 Capacity Project to GRW Engineers, Inc.; total cost will be \$50,000; funds available in Sewer Reserve Account No. 300.68.56551 (Sewer Department).
- 6.7 Authorization to award a contract to Ozone Systems Services Group, Inc. (OSSGI) to provide technical design services for the liquid oxygen ozone disinfection system to be constructed at the Wastewater Treatment Plant; contract not to exceed \$60,000; funds available in Account No. 300.68.56550 (Sewer Department).
- 6.8 Authorization of contract extension with FMSM Engineers for Geographic Information Systems (GIS) Support for the City of Frankfort Sewer Department and Planning Department; for Sewer Department, primary purpose to collect data and populate database for sanitary sewer system; for Planning and Building Codes, project will prepare a GIS layer of Board actions for the Planning Department; total cost is \$95,900, broken down at \$80,000 for the Sewer Department and \$15,900 for the Planning Department, extending contract ceiling to \$196,400; funds are available in Account No. 450.68.56550 for the Sewer Department and in Account No. 100-70-53265 for the Planning and Building Codes Department (Sewer and Planning and Building Codes).
- 6.9 Authorization for the Mayor to sign a Letter of Commitment to Renaissance on Main to permit Frankfort to continue in the Renaissance program for 2006; Renaissance On Main requires this Letter of Commitment for the City and DFI to be eligible for possible funding (Special Projects).
- 6.10 Approval of Change Order #1 for the Frankfort Maintenance Garage Sanitary Sewer Project with the General Contractor, Leak Eliminators, LLC.; cost of \$9,730, increasing total contract cost to \$104,530; funds available in Capital Improvement Account No. 100.90.53295 (Public Works).
- 6.11 Authorization of additional funds for the engineering contract with Quest Engineers for the Schenkel Lane Sanitary Sewer Replacement Project; additional services to include geotechnical work, final design, bidding, construction observation and administration, environmental requirements and project closeout; additional cost of \$438,200 with funds available in Account Number 300.68.56550 (Sewer Department).
- 6.12 Approval of a Sewer Extension Contract with Sycamore Development, LLC, a Kentucky limited liability company, for property located at Cardwell Lane, Franklin County, Kentucky known as Sycamore Crossing; improvements include 7 new manholes and 1,360 feet of 10-inch SDR 35 pipe and 1,400 feet of additional 6-inch force main, removal of the existing Prevention Park pump station and relocating one 450 GPM pump station with one spare pump; sanitary sewer plans and specifications have been approved by the Kentucky Division of Water; final acceptance contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department).
- 6.13 Personnel
- Appointment of Shawon C. Hickman to position of Tech I, effective 2-28-06 (Public Works);
 - Confirmation of Timothy J. Conner to position of Patrol Officer, effective 2-8-06 (Police Department);
 - Confirmation of Scott W. Morgan to position of Patrol Officer, effective 2-8-06 (Police Department);
 - Confirmation of Mike L. Wells to position of Patrol Officer, effective 2-8-06 (Police Department);
 - Confirmation of Brad Durr to position of Firefighter, effective 2-15-06 (Fire Department);
 - Confirmation of Steven Flora to position of Firefighter, effective 2-15-06 (Fire Department);
 - Confirmation of Jared S. Meyer to position of Firefighter, effective 2-15-06 (Fire Department);
 - Confirmation of Jason Parido to position of Firefighter, effective 2-15-06 (Fire Department);
 - Confirmation of Erik Simpson to position of Firefighter, effective 2-15-06 (Fire Department);
 - Confirmation of Dale Southworth to position of Firefighter, effective 2-15-06 (Fire Department);
 - Accept resignation of Raymond L. Walters, Tech III, effective 2-24-06, and authorize payment of all accrued time (Public Works).

It was moved by Commissioner Bowers, seconded by Commissioner Williams, that all items on Consent Agenda, with the exception of Item 6.2, be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Following discussion, it was moved by Commissioner Williams, seconded by Commissioner Carter, to approve award of a contract to Imagistics, Inc. for \$65,250 (to be reimbursed from the Renaissance Grant program) for design and installation of a reproduction of the Grand Theatre historic marquee and blade sign. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Special Projects).

Board Appointments

It was moved by Commissioner Bowers, seconded by Commissioner Carter, to accept the Mayor's recommendation to reappoint Fred Troutman to the Civil Service Board. Mr. Troutman's term would be for four (4) years, expiring 2-28-10. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Old Business

It was moved by Commissioner Bowers that the City request the Kentucky State Auditor to conduct an audit of the City's finances. The motion died for lack of a second.

New Business

Commissioner Bryan requested the podium be moved to the side of the room to facilitate better hearing. There was discussion concerning acoustics and Commissioners being heard in the Council Chamber.

Citizen Comments

Jamie Wigglesworth spoke opposing the design of proposed Public Safety Building; Scott Walters spoke opposing the design of proposed Public Safety Building; Terry Sutton requested a response to letters he submitted to the Commission November 2005 (City Solicitor Rob Moore presented mail to Mr. Sutton which had been refused and returned to the City), requested the Order changing his address be rescinded, and stated he will not accept mail at the 901 Taylor Avenue address.

It was moved by Commissioner Bowers to rescind the Order changing Mr. Sutton's address to 901 Taylor Avenue (Order No. 1, 2005 Series) and change Mr. Sutton's address back to 402/404 Kentucky Avenue. The motion died for lack of a second.

Eric Burke spoke in support of design of the proposed Public Safety Building; Norman Snyder spoke concerning the design of the proposed Public Safety Building and comparing the process to that of the new Paul Sawyer building; Dennis VanHorne, owner of Signs Now, commented on the selection process for the Grand Theatre marquee; Jack Williams, Rescue Sergeant, Frankfort Fire Department, spoke concerning the Ordinance given First Reading as Agenda Item 3.4.

Commissioner Comments

At the request of Commissioner Carter, Public Works Director Steve Brooks reported on the reopening of the Capital City Museum; Commissioner Carter recognized City personnel activated for Military Duty; Commissioner Bryan spoke regarding the Flint Group contract; Commissioner Williams commented on the proposed Public Safety Building project; Commissioner Carter reminded the public of the March "Frankfort at Work" program on Cable 10.

On a motion by Commissioner Carter, seconded by Commissioner Bryan, the meeting adjourned at 8.10 p.m.

Mayor

Attest:

City Clerk